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TRADE AND DEVELOPMENT BOARD
Fifth (pre-sessional) executive session
Geneva, 8 April 1994
Item 1 of the provisional agenda

ADOPTION OF THE AGENDA

PROVISIONAL AGENDA AND ANNOTATIONS FOR THE FIFTH (PRE-SESSIONAL) EXECUTIVE SESSION OF THE BOARD

I. PROVISIONAL AGENDA

1. Adoption of the agenda

* 2. Designation of the President of the forty-first session of the Board

* 3. Reports and activities of the subsidiary bodies of the Board: matters requiring action

(a) Working Party on the Medium-term Plan and the Programme Budget, resumed twenty-second session (17 September and 13 October 1993)

(b) Intergovernmental Group of Experts on Restrictive Business Practices, twelfth session (18 - 22 October 1993)

(c) Ad Hoc Working Group on Trade Efficiency, second session (15 - 19 November 1993)

(d) Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries, second session (22 - 26 November 1993)

(e) Ad Hoc Working Group on Comparative Experiences with Privatization, third session (29 November - 3 December 1993)

(f) Ad Hoc Working Group on the Interrelationship between Investment and Technology Transfer, second session (13 - 17 December 1993)

(g) Ad Hoc Working Group on Investment and Financial Flows, third session (10 - 14 January 1994)

(h) Standing Committee on Commodities, second session (31 January - 4 February 1994)

GE.94-51062

* 4. Arrangements for the celebration of the thirtieth anniversary of UNCTAD

* 5. Institutional, organizational, administrative and related matters

(a) Treatment of new States members of UNCTAD for purposes of elections

(b) Membership of the Trade and Development Board

(c) Membership of the Standing Committees and Ad Hoc Working Groups

6. Other business

7. Report of the fifth (pre-sessional) executive session of the Board

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* These items relate to items 1(e); 9; 10; 11(a); 11(b); and 11(c) of the provisional agenda for the second part of the fortieth session of the Board.

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

The rules of procedure of the Board are contained in TD/B/16/Rev.4 and Corr.1. The guidelines for the Trade and Development Board in executive session are annexed to the present document for ease of reference.

Item 1 Adoption of the agenda

The provisional agenda for the fifth (pre-sessional) executive session of the Board was circulated at the Consultations of the Secretary-General of UNCTAD on 17 January 1994.

Documentation

TD/B/EX(5)/1	Annotated provisional agenda for the fifth (pre-sessional) executive session of the Board

Item 2 Designation of the President of the forty-first session of the Board

By decision 360 (XXXV), of 5 October 1988, the Board reaffirmed its decision 338 (XXXIII), of 9 September 1986, whereby it agreed that it would be desirable for the Board to identify, before the end of each regular session, the person concerned to participate in an advisory capacity in the preparatory work for the regular session at which he would serve as President.

In accordance with the cycle for the rotation of the Office of President of the Board (contained in annex I to the rules of procedure), the President at the forty-first session shall be a representative of one of the States in List C (Latin America).

No documentation

Item 3 Reports and activities of the subsidiary bodies of the Board: matters requiring action

In calling for the policy function of the Board to be strengthened, the Conference, in paragraph 67 of the Cartagena Commitment, called upon its executive sessions, inter alia, to react to reports from its subsidiary bodies, in order to give impetus to ongoing work.

Reports of subsidiary bodies meeting between the date of completion of this document and the commencement of the executive session will be reflected in an addendum to this document.

Item 3(a) Working Party on the Medium-term Plan and the Programme Budget, resumed twenty-second session (17 September and 13 October 1993)

The Working Party resumed its twenty-second session on 17 September and 13 October 1993 to review the revised UNCTAD section of the Programme Budget, as submitted by the Secretary-General of the United Nations to the General Assembly. The report on the resumed session will be before the Board.

Attention is drawn to paragraphs 6 to 8, reflecting the outcome of the Working Party's deliberations; and to paragraphs 15 to 17, concerning the consultations of the Secretary-General of UNCTAD on the role and functions of the Working Party; and the proposed expansion of its membership (paragraphs 18-20).

Documentation

TD/B/39(2)/25/Add.1 TD/B/WP/81/Add.1	Report of the Working Party on the Medium-term Plan and the Programme Budget on its resumed twenty-second session

Item 3(b) Intergovernmental Group of Experts on Restrictive Business Practices, twelfth session (18-22 October 1993)

The report of the Intergovernmental Group of Experts on Restrictive Business Practices on its twelfth session (18 -22 October 1993) will be before the Board.

Attention is drawn to the agreed conclusions adopted by the Intergovernmental Group of Experts (contained in annex I), particularly section E, wherein the Intergovernmental Group of Experts appealed to the Secretary-General of UNCTAD and appropriate bodies to exercise flexibility in the application of the rules governing documentation, given the specificity of the work of the Intergovernmental Group of Experts and its mandate, which includes revision and updating of recurrent documents of a lengthy nature.

In connection with this item, the Board's attention is drawn to General Assembly decision 48/442, of 21 December 1993, whereby the Assembly decided to convene, under the auspices of UNCTAD, a Third United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Principles and Rules for the Control of Restrictive Business Practices at Geneva in 1995. In the draft calendar of UNCTAD meetings, provision has been made for the Conference to be held from 13 to 24 November 1995.

In taking note of the report of the Intergovernmental Group of Experts on its twelfth session, the Board may wish to endorse the agreed conclusions annexed thereto.

In accordance with past practice, the Board may also wish to decide that the Intergovernmental Group of Experts, at its thirteenth session (24-28 October 1994), should serve as the preparatory body for the Third Review Conference.

Documentation

TD/B/40(2)/2 TD/B/RBP/98	Report of the Intergovernmental Group of Experts on Restrictive Business Practices on its twelfth session

Item 3(c) Ad Hoc Working Group on Trade Efficiency, second session (15 - 19 November 1993)

The Ad Hoc Working Group on Trade Efficiency held its second session from 15 to 19 November 1993, during which it discussed facilitating trade; held its first evaluation of the trade po nt programme; and considered preparatory work for the United Nations International Symposium on Trade Efficiency (Columbus, Ohio, 17-21 October 1994).

The Board's attention is drawn to annex I to the report, containing the Chairman's summary of the first evaluation of trade points; and to annex II, which summarizes progress in preparations for the United Nations International Symposium on Trade Efficiency and includes a notional schedule for the Symposium itself.

Attention is also drawn to paragraph 44 of the report, wherein the Ad Hoc Working Group recommended to the Board that its third session be held in May 1994, before the Board's mid-term review, for a period of five working days but with the possibility of extending to eight days.

Documentation

TD/B/40(2)/3 TD/B/WG.2/9	Report of the Ad Hoc Working Group on Trade Efficiency on its second session

Item 3(d) Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries, second session (22 - 26 November 1993)

The second session of the Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries was held from 22 to 26 November 1993.

The Working Group considered issues arising from its work programme and the Chairman's summary of the outcome is annexed to the report on the session (annex II).

The Board's attention is drawn to paragraph 16 of the report, containing two recommendations which the Ad Hoc Working Group endorsed concerning the schedule for its future work and its consideration of the results of the Uruguay Round.

Documentation

TD/B/40(2)/4 TD/B/WG.4/8	Report of the Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries on its second session

Item 3(e) Ad Hoc Working Group on Comparative Experiences with Privatization, third session (29 November - 3 December 1993)

The report of the Ad Hoc Working Group on Comparative Experiences with Privatization on its third session (29 November - 3 December 1993) will be before the Board. Apart from the review of country presentations (item 3), the Ad Hoc Working Group cosidered in depth the subjects of competition and the regulation of privatized monopolies; and social impact of privatization and socially related support measures (item 4).

Attention is drawn to annex I to the report on the session, containing a summary by the UNCTAD secretariat of the main points made in the informal discussions under item 4.

Attention is also drawn to paragraph 18 of the report, recording the Chairman's proposal that, at its fourth session, the Ad Hoc Working Group should devote half a day to the consideration of the topic "privatization and the environment". The Ad Hoc Working Group also agreed to consider the topic of the privatization of pension funds.

Documentation

TD/B/40(2)/5 TD/B/WG.3/13	Report of the Ad Hoc Working Group on Comparative Experiences with Privatization on its third session

Item 3(f) Ad Hoc Working Group on the Interrelationship between Investment and Technology Transfer, second session (13 - 17 December 1993)

The second session of the Ad Hoc Working Group on the Interrelationship between Investment and Technology Transfer was held from 13 to 17 December 1993. The Ad Hoc Working Group began its consideration of three main topics: (a) Investment flows, transfer of technology and competitiveness; (b) Technological capacity-building in developing countries, particularly the least developed countries, and in countries undergoing the process of transition to market economy; (c) Transfer and development of environmentally sound technologies. The Chairman's summing-up of the deliberations is contained in annex I to the report on the session.

Documentation

TD/B/40(2)/10 TD/B/WG.5/8	Report of the Ad Hoc Working Group on the Interrelationship between Investment and Technology Transfer on its second session

Item 3(g) Ad Hoc Working Group on Investment and Financial Flows, third session (10 - 14 January 1994)

The Ad Hoc Working Group on Investment and Financial Flows held its third session from 10 to 14 January 1994.

Attention is drawn to paragraphs 6 to 29 of the report on the session, containing the Chairman's summing-up of the three-day seminar-type discussion on agenda item 4 (Portfolio equity investment and new financing mechanisms), led by invited panellists. The outcome of the Working Group's consideration of agenda item 2 (Consideration of host and home country policies to promote foreign direct investment) is reflected in paragraphs 32 to 45 of the report; while paragraphs 46 to 49 reflect consideration of item 3 (Multilateral measures to promote foreign direct investment).

Attention is also drawn to paragraph 54, concerning the Chairman's draft for the final report to be discussed at the fourth session of the Working Group.

Documentation

TD/B/40(2)/12 TD/B/WG.1/12	Report of the Ad Hoc Working Group on Investment and Financial Flows; Non-debt-creating Finance for Development; New Mechanisms for Increasing Investment and Financial Flows on its third session

Item 3(h) Standing Committee on Commodities, second session (31 January - 4 February 1994)

At its second session (31 January - 4 February 1994), the Standing Committee on Commodities considered six main topics: Situation and prospects for commodities - Identification and analysis of factors affecting commodity markets with a view, inter alia, to reducing distortions (agenda item 3); Contribution to the improvement of the functioning of commodity markets - analysis of ways of improving the efficiency and use of existing mechanisms for the management of risks arising from commodity price fluctuations (item 4); Compensatory financing mechanisms -analysis of problems stemming from commodity-related export earnings shortfalls of developing countries and review of developments in the field of compensatory financing of export earnings shortfalls (item 5); Reducing excessive dependence on primary commodities - Analysis of national experiences in horizontal and vertical diversification, including the possibilities for crop substitution (item 6); Fostering sustainable development in the commodity field - Analysis of national experiences in the management of natural resources with regard to commodity production (item 7); and Technical cooperation in the field of commodities - Identification for consideration of areas in which technical cooperation should be strengthened.

The agreed conclusions adopted by the Committee on the above agenda items are contained in annex I to the report on the session. The provisional agenda approved by the Committee for its third session is contained in annex II.

Documentation

TD/B/40(2)/13 TD/B/CN.1/19	Report of the Standing Committee on Commodities on its second session

Item 4 Arrangements for the celebration of the thirtieth anniversary of UNCTAD

At the first part of the fortieth session, the President of the thirty-ninth session of the Board reported on the outcome of informal open-ended consultations he had been requested to hold with the secretariat and with interested delegations concerning preparations for the thirtieth anniversary of UNCTAD. In expressing appreciation for the progress made so far, the Board requested him to continue his mandate and to present an up-dated progress report to the Board at its pre-sessional executive session in Spring 1994.

A note containing the above-mentioned progress report, and any other relevant information, will be made available as a basis for discussion. Provision has also been made for the Board to consider this item at the second part of its fortieth session.

Documentation

TD/B/EX(5)/CRP.1	Arrangements for the celebration of the thirtieth anniversary of UNCTAD Progress report by the President of the thirty-ninth session of the Trade and Development Board

Item 5 Institutional, organizational, administrative and related matters

Item 5(a) Treatment of new States members of UNCTAD for purposes of elections

The current membership of UNCTAD is 187.

Documentation

TD/B/INF.189/Rev.1 (pages 2 - 4) — Membership of UNCTAD

Item 5(b) Membership of the Trade and Development Board

Membership of the Board currently stands at 138.

Documentation

TD/B/INF.189/Rev.1 (pages 5 - 6) — Membership of the Trade and Development Board

Item 5(c) Membership of the Standing Committees and Ad Hoc Working Groups

At its fourth (pre-sessional) executive session, on 13 September 1993, the Board took note of document TD/B/INF.190, reflecting the membership of the four Standing Committees and the five Ad Hoc Working Groups as at 24 June 1993, and noted that any amendments should be communicated to the Secretary of the Board.

Document TD/B/INF.190/Rev.1 contains revised membership lists as they stood at 31 March 1994.

Documentation

TD/B/INF.190/Rev.1 — Membership of the Standing Committees and Ad Hoc Working Groups

Item 6 Other business

Item 7 Report of the fifth (pre-sessional) executive session of the Board

The Board may wish to authorize the Rapporteur, under the authority of the President, to prepare the report of the Board on its fifth (pre-sessional) executive session, and to make it available to the resumed second part of the fortieth session of the Board, for the mid-term review (25 - 27 May 1994).

No documentation

III. CHECKLIST OF DOCUMENTS

Item 1(a) Adoption of the agenda

TD/B/EX(5)/1	Annotated provisional agenda for the fifth (pre-sessional) executive session of the Board

Item 3 Reports and activities of the subsidiary bodies of the Board: matters requiring action

Item 3(a) Working Party on the Medium-term Plan and the Programme Budget, resumed twenty-second session (17 September and 13 October 1993)

TD/B/39(2)/25/Add.1 TD/B/WP/81/Add.1	Report of the Working Party on the Medium-term Plan and the Programme Budget on its resumed twenty-second session

Item 3(b) Intergovernmental Group of Experts on Restrictive Business Practices, twelfth session (18-22 October 1993)

TD/B/40(2)/2 TD/B/RBP/98	Report of the Intergovernmental Group of Experts on Restrictive Business Practices on its twelfth session

Item 3(c) Ad Hoc Working Group on Trade Efficiency, Second session (15 - 19 November 1993)

TD/B/40(2)/3 TD/B/WG.2/9	Report of the Ad Hoc Working Group on Trade Efficiency on its second session

Item 3(d) Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries, second session (22 - 26 November 1993)

TD/B/40(2)/4 TD/B/WG.4/8	Report of the Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries on its second session

Item 3(e) Ad Hoc Working Group on Comparative Experiences with Privatization, third session (29 November - 3 December 1993)

TD/B/40(2)/5 TD/B/WG.3/13	Report of the Ad Hoc Working Group on Comparative Experiences with Privatization on its third session

Item 3(f) Ad Hoc Working Group on the Interrelationship between Investment and Technology Transfer, second session (13 - 17 December 1993)

TD/B/40(2)/10 TD/B/WG.5/8	Report of the Ad Hoc Working Group on the Interrelationship between Investment and Technology Transfer on its second session

Item 3(g) Ad Hoc Working Group on Investment and Financial Flows, third session (10 - 14 January 1994)

TD/B/40(2)/12 TD/B/WG.1/12	Report of the Ad Hoc Working Group on Investment and Financial Flows; Non-Debt-creating Finance for Development; New Mechanisms for Increasing Investment and Financial Flows on its third session

Item 3(h) Standing Committee on Commodities, second session (31 January - 4 February 1994)

TD/B/40(2)/13 TD/B/CN.1/19	Report of the Standing Committee on Commodities on its second session

Item 4 Arrangements for the celebration of the thirtieth anniversary of UNCTAD

TD/B/EX(5)/CRP.1	Arrangements for the celebration of the thirtieth anniversary of UNCTAD Progress report by the President of the thirty-ninth session of the Trade and Development Board

Item 5 Institutional, organizational, administrative and related matters

Item 5(a) Treatment of new States members of UNCTAD for purposes of elections

TD/B/INF.189/Rev.1 (pages 2 - 4)	Membership of UNCTAD

Item 5(b) Membership of the Trade and Development Board

TD/B/INF.189/Rev.1 (pages 5 - 6)	Membership of the Trade and Development Board

Item 5(c) Membership of the Standing Committees and Ad Hoc Working Groups

TD/B/INF.190/Rev.1	Membership of the Standing Committees and Ad Hoc Working Groups

Item 6 Other business

Item 7 Report of the fifth (pre-sessional) executive session of the Board

No documentation

Annex

GUIDELINES FOR THE EXECUTIVE SESSION OF THE TRADE AND DEVELOPMENT BOARD

The Trade and Development Board in executive session

Pursuant to paragraph 67 of the Cartagena Commitment, the Trade and Development Board adopts the following guidelines for its meetings in executive session (hereafter referred to as "executive sessions of the Board").

1. The executive sessions of the Board will facilitate the strengthening of the policy function of the Board in adapting the organization's work to changing worldwide economic circumstances, reviewing work programmes and priorities, promoting greater efficiency and reacting to reports from its subsidiary bodies in order to give impetus to ongoing work.

2. The executive sessions will be convened at the level of Permanent Representatives at regular intervals, and at any time the President of the Board, in consultation with the Secretary-General of UNCTAD and with the member States, deems it necessary, in half-day or one day sessions. One of these sessions shall take place immediately before each part of the regular sessions of the board. The agenda for each executive session of the Board will be agreed upon sufficiently in advance to ensure adequate preparation. Each executive session of the Board should be preceded by an appropriate consultative process.

3. The executive sessions of the Board may provide guidance to the subsidiary bodies of the Board and take action on the outcomes of the meetings of these bodies; take action on procedural and organizational matters; and provide timely preparation of the issues to be considered by the regular sessions of the Board.

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* Adopted by the Board at its 805th plenary meeting on 7 May 1992. (cf. TD/B/1323(Vol.II), part I, decision 398(XXXVIII), annex A).

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TRADE AND DEVELOPMENT BOARD
Fifth (pre-sessional) executive session
Geneva, 8 April 1994
Item 1 of the provisional agenda

ADOPTION OF THE AGENDA

PROVISIONAL AGENDA AND ANNOTATIONS FOR THE FIFTH (PRE-SESSIONAL) EXECUTIVE SESSION OF THE BOARD

Addendum

Item 3 - Reports and activities of the subsidiary bodies of the Board: matters requiring action

Item 3(d) (continued) - Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries, third session (28 February-4 March 1994)

The Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries held its third session from 28 February to 4 March 1994 to consider the following issues arising from its work programme: (a) country presentations of national experience (export capabilities, export promotion and marketing); (b) market opportunities (regional integration arrangements, environmental measures); and (c) technical cooperation.

Attention is drawn to annex I to the report, containing the Chairman's summary of the results of the session. The provisional agenda for the fourth session is contained in annex II.

GE.94-51317

Attention is also drawn to paragraph 12 of the report, recording the Ad Hoc Working Group's intention to submit an interim progress report to the mid-term review (25-27 May) and to prepare its final report at its fourth session (4-8 July 1994), following the Working Group's consideration of the results of the Uruguay Round and their effects on the trading prospects of the developing countries.

Documentation

TD/B/40(2)/15-TD/B/WG.4/11	Report of the Ad Hoc Working Group on Expansion of Trading Opportunities for Developing Countries on its third session

Item 3(f) (continued) - Ad Hoc Working Group on the Interrelationship between Investment and Technology Transfer, third session (21-25 March 1994)

Due to the very limited interval between the third session of the Ad Hoc Working Group and the fifth (pre-sessional) executive session of the Board, there will not be time for the report on the session to be processed in time for the executive session. However, the main elements of the assessment and evaluation of its work programme, as a contribution to the mid-term review and evaluation exercise, will be taken up by the Informal Working Group on the Mid-term Review, and the final report of the Working Group will be circulated in document TD/B/40(2)/17-TD/B/WG.5/12 together with the report of the third session TD/B/40(2)/16-TD/B/WG.5/11 at the resumed session of the Board, to be held from 25 to 27 May 1994.

No documentation

Item 3(g) (continued) - Ad Hoc Working Group on Investment and Financial Flows; Non-debt-creating Finance for Development; New Mechanisms for Increasing Investment and Financial Flows, fourth session (28-31 March 1994)

The short time-lapse between the Ad Hoc Working Group's fourth session and the fifth (pre-sessional) executive session of the Board precludes the processing of the report on the session in time for the executive session. However, the main elements of the assessment and evaluation of the Group's work programme, as a contribution to the mid-term review and evaluation exercise, will be taken up by the Informal Working Group on the Mid-term Review, and the final report on the session will be circulated in document TD/B/40(2)/18-TD/B/WG.1/14 at the resumed session of the Board, to be held from 25 to 27 May 1994.

No documentation